

UNITED STATES DISTRICT COURT

for the

District of New Mexico



United States of America

v.

Epifanio ESPINOSA

Case No.

21mj1271

Defendant(s)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of August 25, 2021 in the county of Bernalillo in the
 District of New Mexico, the defendant(s) violated:

Code Section

Offense Description

21 U.S.C. §§ 841(a)(1) and (b)(1)
 (B)

Possession with Intent to Distribute of 50 Grams and More of a Mixture and
 Substance Containing Methamphetamine;

18 U.S.C §§ 922(g)(1) and 924

Felon in Possession of a Firearm.

This criminal complaint is based on these facts:

See attached affidavit, which has been approved by AUSA Shana Long.

☒ Continued on the attached sheet.

Complainant's signature

Timothy Piatt, Special Agent

Printed name and title

Electronically signed and telephonically sworn.

Date: 8/26/2021City and state: Albuquerque, NM

Judge's signature

Laura Fashing, U.S. Magistrate Judge

Printed name and title

INTRODUCTION AND AGENT BACKGROUND

I am an investigative law enforcement officer of the United States within the meaning of 18 U.S.C. § 2510(7) as a Special Agent of the Drug Enforcement Administration (DEA). As such, I am empowered to conduct investigations of and to make arrests for offenses enumerated in Title 21, United States Code. I have been a Special Agent with the Drug Enforcement Administration since February of 2019. I have attended the DEA Training Academy in Quantico, Virginia, where I received approximately 16 weeks of specialized narcotics related training. As part of the curriculum at the DEA academy, I received advanced training in controlled substance identification, narcotics related investigation techniques, interview and interrogation training, preparation of search warrants, tactical applications of narcotics enforcement, surveillance and electronic monitoring techniques. I have received training in the methods of operation of Drug Trafficking Organizations, and in the investigation of Title 21 violations. As a result, I am familiar with matters including, but not limited to, the means and methods used by individuals to purchase, transport, store, and distribute drugs and to hide profits generated from those transactions.

This affidavit is made in support of the issuance of a criminal complaint charging Epifanio ESPINOSA with a violation of 21 U.S.C. §§ 841(a)(1) and (b)(1)(B), that being Possession with Intent to Distribute of 50 Grams and More of a Mixture and Substance Containing Methamphetamine, and 18 U.S.C. §§ 922(g)(1) and 924, that being Felon in Possession of a firearm.

PROBABLE CAUSE

On August 25, 2021, DEA Agents and TFOs executed a federal search warrant at 2509 Viola Dr. SW Albuquerque, NM 87105, the residence of Epifanio ESPINOSA.

During the search of ESPINOSA's residence, Agents discovered approximately 468.9 gross grams of suspected methamphetamine. Agents also located a large amount of suspected psilocybin mushrooms. The suspected methamphetamine and mushroom drug amounts are consistent with a trafficking quantity and not personal use. Agents field tested the suspected methamphetamine which tested presumptive positive for methamphetamine. Agents also located multiple scales, and clear plastic baggies throughout the residence, which is consistent with trafficking narcotics.

During the search, DEA Agents also discovered a Walther P22 handgun, loaded with a magazine in ESPINOSA's bedroom. ESPINOSA has felony criminal history. In 2013, ESPINOSA was convicted of possession of controlled substance. In 2018, the defendant was convicted of felony possession of a controlled substance. In both the 2013 and 2018 cases,

ESPINOSA signed the plea agreements in which he admitted to the commission of the felony offenses.

Walther firearms are manufactured in Germany, which is outside of the state of New Mexico, thus affecting interstate commerce.

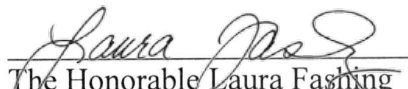
All of the above-described events occurred in Bernalillo County, in the District of New Mexico.

This affidavit is submitted for the limited purpose of providing probable cause to support the attached criminal complaint. I declare under the penalty of perjury that the foregoing is true and correct to the best of my knowledge.

A handwritten signature in black ink, appearing to read 'Timothy Piatt', written over a horizontal line.

Timothy Piatt
Special Agent
Drug Enforcement Administration

Electronically signed and telephonically sworn,

A handwritten signature in black ink, appearing to read 'Laura Fashing', written over a horizontal line.
The Honorable Laura Fashing
United States Magistrate Judge